

**LONDON BOROUGH OF BRENT**  
**STANDARDS COMMITTEE – 15<sup>TH</sup> JULY 2003**  
**REPORT FROM THE BOROUGH SOLICITOR**

FOR NOTING

WARDS AFFECTED: ALL

**REPORT TITLE : RECOMMENDED CHANGES TO THE TERMS OF REFERENCE OF STANDARDS COMMITTEE**

**1.0 SUMMARY**

- 1.1 This report considers possible changes to the terms of reference of Standards Committee and General Purposes Committee concerning the operation and effectiveness of the Constitution.

**2.0 RECOMMENDATIONS**

- 2.1 Members agree to ask members of the Constitutional Monitoring Group (CMG) to consider the following amendments to the Constitution:

Paragraph 8 of the terms of reference for the standards committee be amended to read:

*'To consider and make reports to the Council regarding compliance with the Constitution'*

The terms of reference of the General Purposes Committee contained in part V be amended by adding in a new paragraph 11:

*'to consider and make reports to Council regarding the operation and effectiveness of the Constitution and to recommend changes to it if and when necessary'*

**3.0 FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications arising from this report.

**4.0 STAFFING IMPLICATIONS**

- 4.1 There are no direct staffing implications arising from this report.
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## **5.0 LEGAL IMPLICATIONS**

- 5.1 The Council is required to adopt a Constitution under the Local Government Act 2000.
- 5.2 Under Part III of the Local Government Act 2000, the Council is required to set up a Standards Committee and the terms of reference of that Standards Committee are set out partly in the Act and its composition is set out in secondary legislation. Standards Committee can also undertake other tasks allocated to it.
- 5.3 Standards Committees are required by s54 to promote and maintain high standards of conduct by members and co-opted members, assist them in observing the same and advise on the adoption and revision of a code of conduct, monitor the same and organise training in respect of the same.

## **6.0 DETAIL**

- 6.1 This authority has added onto those terms of reference in paragraph 8 the requirement to consider and make reports to Council regarding the operation and effectiveness and compliance with the Constitution and to recommend changes to it.
- 6.2 After discussions between the Borough Solicitor and the Chair of this Committee, it is considered appropriate to alter the terms of reference of Standards Committee to focus its review of the Constitution on ethical matters and that general revisions to the Constitution should lie with the General Purposes Committee, which would consider the work of the Constitutional Monitoring Group if necessary; although for most of the time, the Constitutional Monitoring Group would report direct to Full Council with recommendations on the Constitution.
- 6.3 Accordingly, Members are recommended to make a request to the Constitutional Monitoring Group to consider an alteration to the terms of reference of Standards Committee to retain its ability to monitor compliance with the Constitution and to transfer responsibility for making reports regarding the operation and effectiveness of the Constitution to General Purposes Committee.
- 6.4 This will not affect the statutory obligations on the Council regarding terms of reference of the Standards Committee.

Any persons wishing to inspect the papers in connection with the above proposals should contact Ian Chisnell at:-

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Terry Osborne  
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